Date: 6/1/04

No. of Sheets (including cover): 13

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Subject: Patent Application
Docket No: YO998-220
Serial No: 09/237,646

Comments: As per our telephone conversation, attached is the Agenda for the interview scheduled for 6/3/04 at 2pm

AGENDA FOR INTERVIEW 6/3/04 AT 2:00 o'clock pm

ATTENDEES-Examiner Cam Y. Truong
Primary Examiner Jean Corrielus
Applicants' attorney Anne Dougherty

ISSUES TO BE DISCUSSED:

(1) Whether the status of the Office Action should be "final" at this point in the prosecution. The Examiner had erred in using the Li patent as a reference in the Final Office Action dated 7/30/03 from which the Appeal had been taken. Subsequently, after the Appeal Conference, the Examiner had withdrawn the 7/30/03 Final Office Action, and had issued a new Final Office Action, with new grounds for rejection, substituting the Liddy patent (previously cited but then dropped as a reference) for the Li patent. The new grounds were not necessitated by amendments. Applicants have not been given an opportunity to respond to the new grounds in response to a non-final action. Applicants do not believe that they should have to incur the expense of either the filing fee associated with filing an RCE or the filing fee associated with filing another appeal.

(2) Whether the Examiner erred in rejecting Claims 1 and 9 as unpatentable over the Machihara patent (USP

6,233,578), and Claims 2 and 10 as unpatentable over Machihara in view of Liddy, including:

(2a) Did the Examiner err in stating that the Machihara system's display of keywords to a user on an interface "indicates that the system has to receive a query before displaying this interface to a user" (page 2 of current action)? Applicants believe that the cited teachings only indicate that the user has selected an icon to request a query...but has not input a query. Machihara's display of keywords does not obviate the steps of "first searching said database to retrieve data based on said query" and "presenting retrieved data to user."

(2b) Did the Examiner err in concluding that Machihara teaches receiving user input based on retrieved data? Applicants have acknowledged that Machihara receives user input for correlation to keywords to select a database for a query. Such input is not user input based on retrieved data, wherein the retrieved data has been retrieved by "first searching the database to retrieve data based on said query" as claimed. The Examiner has stated (page 3 of current action) that "Machihara teaches that the user's request is executed by generating a common request to all such systems and the search results are displayed in summary table"

citing Col. 1, lines 30-40. The cited passage does not mention user input at all, let alone user input based on retrieved data.

(2c) Did the Examiner err in citing one Machihara teachings against multiple distinct claim features, namely citing Col. 10, lines 1-20 against the step of "presenting retrieved data to user" and against the step of "transforming said database based on said user input to generate a transformed database" and against "successively searching said transformed database"?

(2d) Did the Examiner err in concluding that the Machihara format conversion of search results is analogous to transforming a database based on user input? Formatting search results for display is neither the same as nor suggestive of transforming the database. The Examiner's conclusions reflected in the comments at the bottom of page 3 are not supported by the Machihara teachings. Formatting does not change the content of the Machihara results, it simply changes the format or "language" in which the same content is displayed. The present Specification details transforming the database in terms of modifying the linear transform matrix, transforming the feature space, changing the distance/similarity measures, changing the weighting features within the database

(Claims 1 and 9), and reformulation of the query (Claims 2 and 10), (see: page 16, lines 8-14; page 17, lines 13-16; page 18, lines 14-17; page 19, line 17-page 28, line 3). Clearly transforming the database under the present invention does not simply mean presenting the same content in the same order but in a new format. Formatting does not change the order, the relative distance or other measure, or the weighting of the content of the search results being reformatted, it simply changes the format or "language" in which the same content is displayed.

(2e) Did the Examiner err in concluding that it would have been obvious to modify Machihara to iteratively refine the query processing by repeating the steps of presenting retrieved data to the user, receiving user input based on the retrieved data, transforming the database based on user input, and successively searching the transformed database to retrieve data until the user query is satisfied. Machihara does not teach or suggest any user refinement of a search. While a user of the Machihara system would be free to enter successive searches based on retrieved results, such is not the same as nor is it suggestive of a computerized method wherein a search is automatically iteratively refined by repeating steps of presenting

retrieved data to a user, receiving user input based on the retrieved data, transforming the database based on the user input, and successively searching the transformed database to retrieve data to again present to the user for input, and so on until the query is satisfied. Since Machihara provides no mechanism for user input to the query processing after the initial request, it cannot be concluded that successive searching would be conducted. Moreover, since any user input to the Machihara system must first be "translated" by comparing it to stored reference information in order to select a database, it would not be possible to refine a query without starting the Machihara process anew. Accordingly, successive searching would be counterproductive in the Machihara system since Machihara provides no additional user input and no change to the database. Furthermore, the additionally cited Liddy patent states that its GUI allows a user to "interact with the computer-generated query representation" and to "re-submit a query based on the contents of documents considered highly relevant" (Col. 27, lines 10-25). In detailing what is meant by re-submitting the query, the Liddy teachings at Col. 35, lines 25-35 describe that a user marks relevant documents (with such system-provided

designations as "more like") after which the system provides a new query representation. Applicants respectfully assert that user marking of a computer generated query representation is neither the same as nor suggestive of user reformulating of a query based on user input. Under the Liddy teachings, the system formulates the query and the user simply presses "enter" while under the claimed invention, the user formulates and refines the query. Moreover, it is clear that neither Liddy nor Machihara teach or suggest transforming a database based on such user input.

(3) Did the Examiner err in rejecting Claims 1 and 9 as unpatentable over the Anand patent (USP 5,692,181) and Claims 2 and 10 as unpatentable over Anand in view of Liddy? It is to be noted that the Examiner did not present any response to Applicants' arguments regarding the Anand patent in the most recent Final Office Action.

(3a) Did the Examiner err in characterizing a Smart Report in a folder as a database? Smart Reports are defined in the Anand patent as "compound documents that display data from a database in text and graphics (e.g., graphs, tables)" (see: Col. 4, lines 39-40). Clearly it cannot be maintained that Smart Reports in

folders are databases when Anand expressly defines the reports as documents that display data from a database.

(3b) Did the Examiner err in analogizing the Anand teachings of retrieving a stored Smart Report to "first searching said database to retrieve data based on said query"? In the most recent comments, the Examiner cites the Anand teachings of "drilling down", whereby Smart Reports which have been assembled in response to previous user queries may be stored and again retrieved, to the claim language. Applicants respectfully assert that retrieving a pre-assembled Smart Report is not the same as, nor is it suggestive of, searching a database to retrieve data based on a user query as claimed.

(3c) Did the Examiner err in citing the Anand step of saving a viewed Smart Report in a user-specified code format to both the claim step of receiving user input based on retrieved data and the claim step of transforming the database? Two distinct claim steps cannot be obviated by the same single teaching.

(3d) Did the Examiner err in analogizing the Anand step of saving a viewed Smart Report in a user-specified format to receiving user input based on retrieved data? The Anand user opts to save a report and selects the format based on the user's storage requirements. The

Anand user does not provide input based on the retrieval results.

(3e) Did the Examiner err in analogizing the Anand step of saving a viewed Smart Report in a user-specified format to the claim step of transforming the database? Converting a Smart Report to a user-specified format, either UNICODE or ASCII, is not transforming the database from which the search results were obtained. The Smart Report is a document extracted from the database and is not the database. Moreover, the Smart Report is being formatted for storage but is not being transformed. Formatting does not change the content of the Smart Report, it simply changes the format or "language" in which the same content is stored. As detailed above, the present Specification details transforming the database in terms of modifying the linear transform matrix, transforming the feature space, changing the distance/similarity measures, changing the weighting features within the database (Claims 1 and 9), and reformulation of the query (Claims 2 and 10), (see: page 16, lines 8-14; page 17, lines 13-16; page 18, lines 14-17; page 19, line 17-page 28, line 3). Clearly transforming the database under the present invention does not simply mean presenting the same content in the same order but in a

new format. Formatting does not change the order, the relative distance or other measure, or the weighting of the content of the search results being reformatted, it simply changes the format or "language" in which the same content is stored in the same order. Applicants conclude that the Anand teachings of formatting for storage do not teach or suggest the claimed transforming of the database.

(3f) Did the Examiner err in characterizing the Anand step of retrieving a saved Smart Report to attach it to an e-mail to the claim step of successively searching the transformed database? Retrieving a formatted and stored Smart Report does not obviate searching a transformed database. Applicants reiterate that formatting search results does not affect the database and is not tantamount to transforming the database.

(3g) Did the Examiner err in concluding that it would have been obvious to modify Anand to iteratively refine the query processing by repeating the steps of presenting retrieved data to the user, receiving user input based on the retrieved data, transforming the database based on user input, and successively searching the transformed database to retrieve data until the user query is satisfied, and to modify Anand with Liddy for reformulating the query and searching

the transformed database with the reformulated query? The Examiner states on page 7 of the Office Action that "[the Anand teachings of retrieving a saved Smart Report for attaching to an e-mail] implies that it is obvious to repeat step *(sic)* b through e in order to return to the user a result." Applicants respectfully disagree. The Anand teaching of retrieving a stored Smart Report does not include presenting retrieved search results to the user, receiving user input based on retrieved results, transforming the database based on user input to generate a transformed database, and successively searching the transformed database to retrieve data for presenting to the user, as so on. Anand simply retrieves a pre-assembled Smart Report from local storage. Anand does not perform the claimed steps on a transformed database. Moreover, the Liddy patent does not provide those teachings which are missing from Anand. As noted above, Liddy allows a user to "interact with the computer-generated query representation" and to "re-submit a query based on the contents of documents considered highly relevant" by marking which retrieved documents are considered relevant. User marking of a computer generated query representation is neither the same as nor suggestive of user reformulating of a query based on user input.

CLAIMS TO BE DISCUSSED

1. A computerized method for retrieving multidimensional data from a database in response to a user query, comprising the steps of:

a. first searching said database to retrieve data based on said query;

b. presenting retrieved data to user;

c. receiving user input based on said retrieved data;

d. transforming said database based on said user input to generate a transformed database;

e. successively searching said transformed database to retrieve data; and

f. repeating steps b through e until the results for the said query is satisfied by the user.

2. The method of Claim 1 wherein said step of transforming said database further comprises reformulating the query based on said user input and wherein said searching said transformed database comprises searching said transformed database based on said reformulated query.

9. A program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for retrieving multidimensional data from a database in response to a user query, said method steps comprising:

a. first searching said database to retrieve data based on said query;

b. presenting retrieved data to user;

c. receiving user input based on said retrieved data;

d. transforming said database based on said user input to generate a transformed database;

e. successively searching said transformed database to retrieve data; and

f. repeating steps b through e until said query is satisfied.

10. The device of Claim 9 wherein said method step of transforming said database further comprises reformulating the query based on said user input and wherein said searching said transformed database comprises searching said transformed database based on said reformulated query.